THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.2036 of 2007

Dated:08.03.2007

Between:

Kamepalli Hari Babu.

…PETITIONER

and

The Zilla Parishad, Prakasam District, and others.

…RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.2036 of 2007

ORDER:

The petitioner is Sarpanch of Isuka Darsi Village, Marturu Mandal, Prakasam District. He filed instant writ petition seeking a writ of Mandamus declaring the action of the respondents in trying to lay cement concrete (CC) road in the Village pursuant to the proceedings dated 05.05.2006 issued by first respondent, namely, the Chief Executive Officer of Zilla Parishad, Prakasam District, without intimation to the Gram Panchayat as illegal and contrary to Section 45 of the Andhra Pradesh Panchayat Raj Act, 1994 (the Act, for brevity).

It is the case of the petitioner that first respondent by proceedings dated 05.05.2006 granted administrative sanction to the work of laying CC road from Lakshminarasimha Swamy temple to Ch.Singarajulu house in Isuka Darsi at an estimated cost of Rs.3,00,000/-. As per G.O.Ms.No.37 dated 18.02.2005, it is incumbent on the part of first respondent to allot works to the Gram Panchayat, which in turn takes steps for executing the works.

At the stage of admission itself, the learned Assistant Government Pleader for Panchayat Raj and Rural Development has obtained instructions. He places before this Court the orders of the Government in G.O.Ms.No.37 dated 18.02.2005 and subsequent G.O.Ms.No.10 dated 10.01.2006 and submits that the works allotted to the Gram Panchayat can also be allotted to Dwakra groups and that the present work is allotted to Dwakra group, which is almost complete. Keeping this in view, this Court is not inclined to interfere in the matter, however, it is observed that in future the respondents should strictly adhere to G.O.Ms.No.37 dated 18.02.2005 and

subsequent G.O.Ms.No.10 dated 10.01.2006.

The writ petition, with the above observations, is accordingly disposed of. No costs.

_____

(V.V.S.RAO, J)

08th March, 2007
ghn